

MHN

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEOBARDO RIOS ,)
v. Plaintiff,) No. 08 C 4555
U.S.A.) Judge Ruben Castillo
Defendant.)

ORDER

After a careful review of defendant's recently filed pro se petition under 28 U.S.C. §2255 to vacate or set aside his sentence, said petition is summarily dismissed for failure to set forth any valid grounds for relief. Defendant conclusively alleges that he failed to receive effective assistance of counsel because he did not receive a speedy trial and that counsel did not adequately prepare for sentencing. To the contrary, defendant received a speedy trial and the only delays in his proceedings were caused by defendant's flight from prosecution. This flight and the statutory minimum sentence also affected his sentence of 121 months. The record in this case simply fails to establish any constitutional issue at the pretrial, trial or sentencing stages. Petitioner was well represented at each stage. For the same reasons, this Court denies any Certificate of Appealability from this Order.



RUBEN CASTILLO
U.S. DISTRICT JUDGE

ENTERED: August 18, 2008